REMARKS/ARGUMENTS

This Amendment is in response to a final Office Action mailed May 9, 2005, in which claims 1-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,324,266 to Mannings ("**Mannings**") in view of US Patent No. 6,873,688 to Aarnio ("**Aarnio**").

This Amendment amends claims 1 and 14 and cancels claims 11, 16 and 18. After entry of this Amendment, claims 1-10, 12-15, 17 and 19-23 would stand pending for examination. Reconsideration and withdrawal of the objections and rejections are respectfully requested in view of the amendments and the following remarks. Alternatively, Applicant requests entry of this amendment to put the claims in better form for purposes of appeal.

Applicant's invention, as embodied in amended claim 1, is a method for compiling data in a computerized data authorizing system. The method gathers data from a plurality of different data sources, and includes both telephone responses using an interactive voice response system and Internet responses using an Internet data entry system. Both kinds of responses are routed to a single data band, and duplicate responses are prevented by tagging the responses. Tagging is accomplished using automated number identification for telephone responses and using "cookies" for Internet responses. The data from both of the different data sources is captured in the single data bank and then used to analyze a campaign.

Applicant respectfully traverses the rejection of the claims, and believes that neither **Mannings** nor **Aarnio**, either alone or as combined, disclose or suggest the claimed invention.

Mannings discloses an audience voting system where votes are cast using the keys of cordless telephones 1 (col. 6, lines 64 - 67). A computer 5 receives the voting information and stores it in a store 55 for subsequent retrieval. The computer 5 also generates a graphical output display that can be posted to a website that is accessed by a computer 6 so that collected data may be viewed by the audience or by others requiring the data (col. 3, lines 29 - 46). Voting data may be collated with a user profile unit 44 in order to identify each caller

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(using "calling line identify") and ensure that only one vote is received from each phone (col. 6, lines 44 - 56).

          Aarnio discloses cellular radio system for processing questionnaire-based surveys (Abstract, col. 1, lines 9 - 13). The system uses terminal devices 1 that may be "a telephone, a PDA (Personal Digital Assistant) or another device" (col. 3, lines 24 - 33). It is believed clear from **Aarnio** that the terminal devices are intelligent since, for example, they use data transmission protocols such as WAP, SMS or HTTP (col. 3, lines 41 - 46).

          It is clear that neither **Mannings** nor **Aarnio** disclose the use of different data sources, and in particular "telephone responses using an interactive voice response system" and "Internet responses using an Internet data entry system." To the contrary, each of the references uses a single type of data source -- namely cordless telephones transmitting, e.g., DTMF tones, in **Mannings,** and intelligent terminal devices transmitting data using WAP, SMS or HTTP protocols in **Aarnio**. Furthermore, neither reference discloses or suggests the use of both of "two different data sources", which is expressly recited in claim 1. In addition, neither reference teaches steps for preventing duplicate responses , including the use of "automated number identification for telephone responses" and "cookies for Internet responses", as also recited in claim1.

          While the Examiner appears to argue that **Aarnio** teaches the uses of both telephone responses and Internet responses, there is no disclosure of both data sources being so used. As mentioned above, **Mannings** discloses the use of telephones with DTMF functionality, and **Aarnio** discloses the use of telephone or similar devices using sophisticated data transmission protocols. However neither reference teaches the use of both data sources, including the routing of "telephone responses and the Internet responses to single data bank which is common to both," as recited in claim 1. Applicant believes there is some confusion as to whether the terminal 1 on the right-hand side of Fig. 1 in **Aarnio** is a terminal for responses to a survey. Taken in context, it is believed clearly to be a terminal used by a researcher (not a respondent). For example, see col. 4, lines 17-20 and lines 23-25, which refers to "the terminal device of the researcher."

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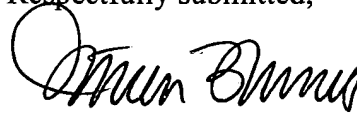Amendment under 37 CFR 1.116 Expedited Procedure
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The dependent claims each recite further limitations in combination with the limitations of claim 1, and are believed allowable for the same reasons as stated above.

Conclusion

In view of the foregoing, Applicant believes all claims, if entered, would be in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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